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EXAMINER

LUDWIG, MATTHEW J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/556,865

Applicant(s)

RUBIN ET AL.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 9-13, 18-27 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9-13, 18-27 and 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/21/05, 10/6/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications. Amendment received 8/31/05.
2. Claims 1-3, 9-13, 18-27, and 30-35, are pending in the application. Claims 1, 9, 10, 11, 18, 19, and 20, are independent claims. Applicant has cancelled claims 4-8, 14-17, 28, 29, 36, and 37.
3. Claims 1-3, 9, 18-27, 30, 31, 34, and 35, remain rejected under 35 U.S.C. 102(b) as being anticipated over LaStrange. Claims 10, 11, 12, 13, 32, and 33, remain rejected under 35 U.S.C. 103(a) as being unpatentable over LaStrange in view of Fagioli.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-3, 9, 18-27, 30, 31, 34, and 35, are rejected under 35 U.S.C. 102(b) as being anticipated by LaStrange et al., USPN 5,784,058 filed (5/28/04).**

In reference to independent claim 1 and 18, LaStrange teaches:

A first and second document text displayed simultaneously while maintaining the single navigational focus (see Figure 5 and column 5, lines 25-45). The figure illustrates a link within the first document, which specifies the second document text. Furthermore, the reference discloses the enabling of a sticky page feature, which maintains the current display page of the browser and creates a second display page next to the first display page. This second page causes

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a shift in the navigational focus to the second document. See column 3, lines 57-67. Figure 5 illustrates a pinning process utilized within the web page that causes a change from a first document context to a second document context and therefore changes a navigational view from a user's point of view. The broad nature of the term '*navigational focus*', without any further description of how the 'navigational focus' is generated or what the "navigational focus" provides, other than two pages on the same display, leaves such a term open to interpretation based on the claim language. Because the sticky page feature is user controllable through the switch represented by the push pin, the user determines which pages within the browser should be persistently maintained on the computer display (compare to "*displaying a second document context simultaneously with the first document context while maintaining the single navigational focus*"). The reference discloses that use of the sticky page feature could be repeated as many times as the user requires. Therefore, while Figure 2-5 illustrate two windows simultaneously displayed, it will be understood that the present invention would permit a user to simultaneously display any number of windows without overriding the content of the windows having a depressed push pin symbol therein. The push pin allows for the single navigational focus. It could be depressed while two disparate pages are displayed on a display.

In reference to dependent claim 2, LaStrange teaches:

The user selectively retains the display of the first web page while simultaneously viewing the contents of the second web page. See column 4, lines 33-36.

In reference to dependent claim 3, LaStrange teaches:

The web page can contain hyperlinks, which provide the user with a means to load another web page into the browser. Hyperlinks are associated with URL addresses pointing to unique locations of information in the computing network. See column 4, lines 1-8.

In reference to independent claim 9 and 19, Lastrange teaches:

A first and second document text displayed simultaneously while maintaining the single navigational focus (see Figure 5 and column 5, lines 25-45). The figure illustrates a link within the first document, which specifies the second document text. Furthermore, the reference discloses the enabling of a sticky page feature, which maintains the current display page of the browser and creates a second display page next to the first display page. This second page causes a shift in the navigational focus to the second document. See column 3, lines 57-67. Figure 5 illustrates a pinning process utilized within the web page that causes a change from a first document context to a second document context and therefore changes a navigational view from a user's point of view.

Finally, Figure 5 demonstrates a first and second document displayed within one navigational focus. The first document includes an index of links within the body of the page that could be used for expanding the page pinning process of LaStrange.

In reference to independent claim 20, LaStrange teaches:

A first and second document text displayed simultaneously while maintaining the single navigational focus (see Figure 5 and column 5, lines 25-45). The figure illustrates a link within the first document, which specifies the second document text. Furthermore, the reference discloses the enabling of a sticky page feature, which maintains the current display page of the browser and creates a second display page next to the first display page. This second page causes

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a shift in the navigational focus to the second document. See column 3, lines 57-67. Figure 5 illustrates a pinning process utilized within the web page that causes a change from a first document context to a second document context and therefore changes a navigational view from a user's point of view.

Figure 5 demonstrates a first and second document displayed within one navigational focus. The first document includes an index of links within the body of the page that could be used for expanding the page pinning process of LaStrange.

Finally, while Figure 5 illustrates the first and second browser windows being substantially adjacent to one another, it will also be understood to one of ordinary skill in the art that these pages could be overlapped or reduced in size either programmatically or at the user's control. The particular implementation of the window sizing and positioning is a matter of choice (compare to "*displaying at least a portion of the first context as a pinned page overlaid on the first context while maintaining the single navigational focus*"). See column 4, lines 42-55.

In reference to dependent claim 21, LaStrange teaches:

The user selectively retains the display of the first web page while simultaneously viewing the contents of the second web page. See column 4, lines 33-36.

In reference to dependent claim 22, LaStrange teaches:

The web page can contain hyperlinks, which provide the user with a means to load another web page into the browser. Hyperlinks are associated with URL addresses pointing to unique locations of information in the computing network. See column 4, lines 1-8.

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In reference to dependent claim 23, LaStrange teaches:

A sticky page pushpin symbol is displayed within the browser as a user controllable switch. See column 3, lines 45-50.

In reference to dependent claim 24, LaStrange teaches:

Operation returns control to operation so that the new browser window presently displayed with the second web page can also utilize the sticky page feature of the present invention. See column 5, lines 33-36.

In reference to dependent claim 25, LaStrange teaches:

If operation determines that the sticky page flag has not been set, then operation loads the URL associated with the hyperlink into the current window. Operation then displays the second web page in the current window by overriding the display of the first web page. See column 5, lines 43-50.

In reference to dependent claim 26, LaStrange teaches:

Figure 5 illustrates various commands within each document context that can be selected by a user. See LaStrange, Figure 5.

In reference to dependent claim 27, LaStrange teaches:

Figure 5 illustrates various commands within each document context that can be selected by a user. See LaStrange, Figure 5.

In reference to dependent claim 30, LaStrange teaches:

Figure illustrates various links within the body of the web page along with corresponding text associated with the above-mentioned links, which includes 'Header' and 'PAGE 1 CONTENTS'.

In reference to dependent claim 31, LaStrange teaches:

The operations could be repeated as many times as the user requires. Therefore, it will be understood that the present invention would permit a user to simultaneously display any number of windows without overriding the content of the windows having a depressed pushpin symbol therein. See column 5, lines 35-45.

In reference to dependent claim 34, LaStrange teaches:

The web page can contain hyperlinks, which provide the user with a means to load another web page into the browser. Hyperlinks are associated with URL addresses pointing to unique locations of information in the computing network. See column 4, lines 1-8.

In reference to dependent claim 35, LaStrange teaches:

The operations could be repeated as many times as the user requires. Therefore, it will be understood that the present invention would permit a user to simultaneously display any number of windows without overriding the content of the windows having a depressed pushpin symbol therein. See column 5, lines 35-45.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 10, 11, 12, 13, 32, and 33, are rejected under 35 U.S.C. 103(a) as being unpatentable over LaStrange in view of Fagioli USPN 6,710,790 filed 8/13/04.**

In reference to independent claim 10, LaStrange teaches:

A first and second document text displayed simultaneously while maintaining the single navigational focus (see Figure 5 and column 5, lines 25-45). The figure illustrates a link within the first document, which specifies the second document text. Furthermore, the reference discloses the enabling of a sticky page feature, which maintains the current display page of the browser and creates a second display page next to the first display page. This second page causes a shift in the navigational focus to the second document. See column 3, lines 57-67. Figure 5 illustrates a pinning process utilized within the web page that causes a change from a first document context to a second document context and therefore changes a navigational view from a user's point of view.

The reference discloses pages, which could be overlapped or reduced in size either programmatically or at the user's control. The particular implementation of the window sizing and positioning is a matter of choice. However, LaStrange fails to explicitly teach displaying a viewport to the first document context as a pinned page overlayed on the second document context. Fagioli teaches the automatic adjustment and display of images through a viewport. See column 5, lines 1-7. It would have been obvious to one of ordinary skill in the art, having the teachings of LaStrange and Fagioli before him at the time the invention was made, to modify the window sizing and positioning taught by LaStrange to include the viewport methods of Fagioli, because, with the adjustments made to the window, it would have provided the author the added benefit of having a proficient view of the single navigational focus within the document display.

In reference to independent claim 11, the claim reflects the system comprising computer readable instructions used for performing the methods as claimed in independent claim 10, respectively, and in further view of the following, is rejected along the same rationale.

In reference to dependent claim 12, LaStrange teaches:

The user selectively retains the display of the first web page while simultaneously viewing the contents of the second web page. See column 4, lines 33-36.

In reference to dependent claim 13, LaStrange teaches:

The web page can contain hyperlinks, which provide the user with a means to load another web page into the browser. Hyperlinks are associated with URL addresses pointing to unique locations of information in the computing network. See column 4, lines 1-8.

In reference to dependent claim 32, LaStrange teaches:

The web page can contain hyperlinks, which provide the user with a means to load another web page into the browser. Hyperlinks are associated with URL addresses pointing to unique locations of information in the computing network. See column 4, lines 1-8.

In reference to dependent claim 33, LaStrange teaches:

The operations could be repeated as many times as the user requires. Therefore, it will be understood that the present invention would permit a user to simultaneously display any number of windows without overriding the content of the windows having a depressed pushpin symbol therein. See column 5, lines 35-45.

Response to Arguments

7. Applicant's arguments filed March 2, 2005 have been fully considered but they are not persuasive.

The applicant brought to the attention of the Examiner, on page 9 of the amendment, the improper rejection of claims 12 and 13. The rejection of claims 12 and 13 as anticipated by a single reference is improper, given the combination of references required to allegedly reject parent claim 11. In response to the error, the Examiner has modified the rejection and made this action Non-Final.

The applicant argues on page 8 and 9 of the remarks section of the amendment that LaStrange does not teach or suggest a single navigational focus as claimed. Furthermore, on page 9 of the remarks section, applicant states that LaStrange has its own set of navigational controls independent of the other browser window. Thus, applicant believes there is no suggestion of a single navigational focus as claimed. Finally, applicant points to the original written description that provides examples of a single navigational focus, including one example which provides that “[I]n a user interface with a single navigational focus, there is only one set of navigational controls, there is no duplication of these controls on the screen, and there is only one frame at a time on which all navigation controls will act.” *While it is appropriate to use the specification to determine what applicant intends a term to mean, a positive limitation from the specification cannot be read into a claim that does not impose that limitation. A broad interpretation of a claim by Office personnel will reduce the possibility that the claim, when issued, will be interpreted more broadly than is justified or intended.* An applicant can always amend a claim during prosecution to better reflect the intended scope of the claim. Because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the Examiner believes LaStrange provides a proficient suggestion of the single navigational focus as stated within the independent claim. Also, the Examiner believes a single navigational focus could be

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interpreted many ways by one of ordinary skill in the art based on the claim language. The sticky page feature is enabled/disabled by the user. This feature alone provides the suggestion of a single navigational focus due in large part to the fact that pages could be displayed on a single display and a user could then enable/disable the sticky page feature which allows for the single navigational focus of two disparate web pages. See column 3, lines 57-67. The broad nature of the term '*navigational focus*', without any further description of how the 'navigational focus' is generated or what the "navigational focus' provides, other than two pages on the same display, leaves such a term open to interpretation based on the claim language. Because the sticky page feature is user controllable through the switch represented by the push pin, the user determines which pages within the browser should be persistently maintained on the computer display (compare to "*displaying a second document context simultaneously with the first document context while maintaining the single navigational focus*"). The reference discloses that use of the sticky page feature could be repeated as many times as the user requires. Therefore, while Figure 2-5 illustrate two windows simultaneously displayed, it will be understood that the present invention would permit a user to simultaneously display any number of windows without overriding the content of the windows having a depressed push pin symbol therein. The push pin allows for the single navigational focus. It could be depressed while two disparate pages are displayed on a display.

Conclusion

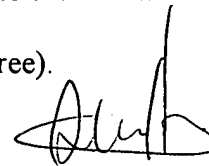
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ML
November 7, 2005

STEPHEN HONG
SUPERVISORY PATENT EXAMINER